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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/684,081	
	Filing Date	October 10, 2003	
	First Named Inventor	Eli Brookner	
	Art Unit	3662	
	Examiner Name	John B. Sotomayor	
Total Number of Pages in This Submission	153	Attorney Docket Number	RTN-176PUS

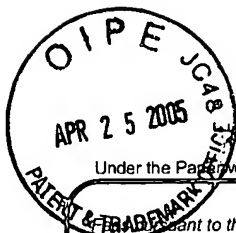
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC <b>Appeal Notice, Brief, Reply Brief</b>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard;
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	PTO/SB/08A with 19 cited references
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<b>Remarks</b> In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Daly, Crowley, Mofford & Durkee, LLP		
Signature			
Printed name	Christopher S. Daly		
Date	<i>22 Apr 05</i>	Reg. No.	37,303

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Christopher S. Daly	Date	<i>22 Apr 05</i>

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Effective on 12/08/2004.

Subject to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**180**

## Complete if Known

Application Number	10/684,081
Filing Date	October 10, 2003
First Named Inventor	Eli Brookner
Examiner Name	John B. Sotomayor
Art Unit	3662
Attorney Docket No.	RTN-176PUS

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):  
☐ Deposit Account Deposit Account Number: **50-0845** Deposit Account Name: **Daly, Crowley, Mofford & Durkee, LLP**  
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**      **Multiple Dependent Claims**  
- 20 or HP = **0** x **0** = **0**      **Fee (\$)**      **Fee Paid (\$)**  
HP = highest number of total claims paid for, if greater than 20  
**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**  
- 3 or HP = **0** x **0** = **0**  
HP = highest number of independent claims paid for, if greater than 3

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**      **Extra Sheets**      **Number of each additional 50 or fraction thereof**      **Fee (\$)**      **Fee Paid (\$)**  
- 100 = **0** / 50 = **0** (round up to a whole number) x **0** = **0**

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)  
Other: Information Disclosure Statement

**Fees Paid (\$)**  
**0**  
**180**

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	37,303	Telephone	781.401.9988 ext. 11
Name (Print/Type)	Christopher S. Daly	Date	22 April		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/684,081  
Applicant : Eli Brookner, et al.  
Filed : October 10, 2003  
T.C./A.U. : 3662  
Examiner : John B. Sotomayor

Confirmation No.: 3049

Docket No. : RTN-176PUS  
Customer No. : 022494

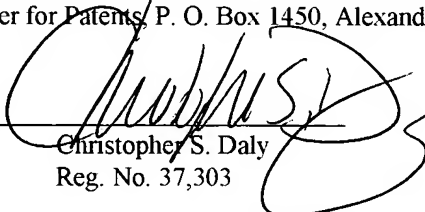
Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being transmitted via facsimile to Commissioner for Patents at 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

22 Apr 05

Date of Signature  
and Mail Deposit

By:

  
Christopher S. Daly  
Reg. No. 37,303

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO form PTO/SB/08A (Formerly #1449). The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[ ] (1) The enclosed Information Disclosure Statement is being filed: within three months of the filing date; or within three months of the entry of the national stage of the above-identified application; or before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. Accordingly, Applicant(s) believes that no fee or statement is required.

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☒ (2) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by the fee set forth in 37 C.F.R. § 1.17(p).

SUBMISSION UNDER 37 C.F.R. § 1.97(c)

INCLUDING A STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

☐ (3) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(1). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(c)

INCLUDING A STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

☐ (4) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(2). The undersigned hereby states that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual having a duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(c)

INCLUDING STATEMENTS UNDER 37 C.F.R. §§ 1.704(d) AND 1.97(e)(1)

[ ] (5) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by statements under 37 C.F.R. §§ 1.704(d) and 1.97(e)(1). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement and was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(d)

INCLUDING A STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

[ ] (6) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by a statement under 37 C.F.R. § 1.97(e)(1) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(d)

INCLUDING A STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

[ ] (7) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by a statement under 37 C.F.R. § 1.97(e)(2) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual having a duty of disclosure as set forth in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(d)

INCLUDING STATEMENTS UNDER 37 C.F.R. §§ 1.704(d) AND 1.97(e)(1)

[ ] (8) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by statements under 37 C.F.R. §§ 1.704(d) and 1.97(e)(1) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement and was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the accompanying Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, Applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Dated: 22 Apr 05

Respectfully submitted,

DALY, CROWLEY, MOFFORD & DURKEE, LLP

By: 

Christopher S. Daly

Reg. No. 37,303

Attorney for Applicant(s)

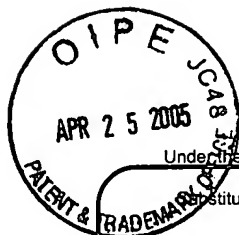
275 Turnpike Street, Suite 101

Canton, MA 02021-2354

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*csd@dc-m.com*



PTO/SB/08A (02-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/684,081
Filing Date	October 10, 2003
First Named Inventor	Eli Brookner
Art Unit	3662
Examiner Name	John B. Sotomayor
Attorney Docket Number	RTN-176PUS

Sheet 1 of 2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 3,828,349	08/06/1974	Laurenceau	
		US- 4,163,974	08/07/1979	Profera	
		US- 4,649,389	03/04/1987	Taylor et al.	
		US- 4,649,390	03/10/1987	Andrews et al.	
		US- 4,720,711	01/19/1988	Quesinberry et al.	
		US- 4,766,437	08/23/1988	Schmidt et al.	
		US- 5,173,706	12/22/1992	Urkowitz, Harry	
		US- 5,442,359	08/15/1995	Rubin	
		US- 5,557,282	09/17/1996	Mertens	
		US- 6,169,518	01/02/2001	Nelson et al.	
		US- 6,630,902	10/07/2003	Fenton et al.	
		US- 2002/0060639	05/23/2002	Harman	
		US-			
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		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		DE 44 07 369 A1	09/14/2995	Westphal et al.		
		EP 0 509 843 A2	10/21/1992	General Electric Co.		
		EP 0 509 843 A3	10/21/1992	General Electric Co.		
		EP 0 851 238 A2	07/01/1998	Molyneux-Berry et al.		
		EP 0 851 238 A3	07/01/1998	Molyneux-Berry et al.		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/684,081
				Filing Date	October 10, 2003
				First Named Inventor	Eli Brookner
				Art Unit	3662
				Examiner Name	John B. Sotomayor
Sheet	2	of	2	Attorney Docket Number	RTN-176PUS

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		PCT Search Report; PCT/US2004/019056; dated October 13, 2004 (DCMD Case No. RTN-175PUS)	
		Partial PCT Search Report; PCT/US2004/032065; dated February 24, 2005 (DCMD Case No. RTN-177PUS)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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